

Appl. No. 09/738,128
Response after final rejection of 17 September 2003
Atty Docket 115699-40

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REMARKS

1) Summary of the Office Action

Claims 1 – 39 were pending in the case.

Claims 1 – 7, 13 – 18 and 35 – 37 were allowed.

Claim 26 was rejected as being anticipated by US Patent 4,702,653 of Gaulding et al., or US Patent 5,211,518 of Mimica.

Claims 8 – 12 and 19 – 26, 38 and 39 were rejected under 35 USC 112.

Claims 27 – 34 were indicated as being objected to, but allowable if re-written in independent form.

2) Commentary on Claims

Claim 8

Claim 8 has been amended by indicating that the first and second ends in line 3 are ends of the beam member.

Claims 19

Claim 19 has been amended to replace “said load bearing member” with --- said roller ---, as suggested by the Examiner.

Claim 26

With respect to the rejection based on the Gaulding reference, the applicant respectfully submits that Gaulding’s “captive cross member” is not a coil stop. Even aside from this, the Examiner again appears to have read claim 26 in not quite the way it was intended. Although the Examiner might consider Gaulding to have a “movably mounted” fitting, Gaulding’s rollers are not movably mounted in the way the applicant intended.

The applicant is at something of a loss to understand how Mimica is thought to anticipate the claim, inasmuch as Mimica doesn’t appear to have movable transport fittings. In the event that the Examiner upholds the rejection on the basis of Mimica, the applicant respectfully requests a more detailed explanation of how the Mimica reference is thought to be applicable.

However the rejection may be based on Mimica, out of abundance of caution the applicant has amended claim 26, and respectfully submits that it is allowable as amended.

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Claim 34

Claim 34 has been re-written in independent form. The applicant submits that in conformity with the Examiner's comments, all of claims 27 - 34 are now allowable.

Claim 35

Claim 35 has been amended by re-arranging the wording of the claim in a more easily understood manner to overcome the Examiner's rejection.

Claim 38

Claim 38 has been amended by adding the words "pair of" as suggested by the Examiner.


Conclusion

In view of the foregoing arguments and claim amendments, the applicant submits that the claims pending in this case are presently in a condition for allowance. Therefore, the applicant requests early and favourable disposition of this application.

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Respectfully submitted,


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